

this Response. In the substitute Specification (now double-spaced) the replacement of the word “program” with the word--programmed—has been made (at page7, line 15 of the substitute Specification). Nothing else, except for the one word and the line spacing, has been changed.

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**In the Claims:**

**Please cancel claims 1 through 6. Please add the following new Claims 7-12 in their place:**

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**Claims 1-6: Cancelled.**

**Claim 7 (new): An LED lighting and flashing apparatus comprising:**

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**a) an elongated, clear, hollow body having top and bottom removable caps;**

**b) an internal circuit board having a plurality of LED illumination lights;**

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**c) a power supply including batteries and a means to recharge said batteries;**

**d) a first switch to provide for constant illumination for a first set of fewer than all of said plurality of LED lights;**

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**e) a solid-state flashing circuit, electrically connected to a second set of fewer than all of the LED lights, wherein said second set of LED lights are different from said first set of LED lights and wherein**

said second set of LED lights are pulsed at a programmed rate to create a visual effect when a second switch is energized;

(e) a second switch, electrically connected to said power supply, said flashing circuit and said second set of LED lights, to pulse  
5 said second set of LED lights at a programmed rate to create a visual effect;

(f) a means for bypassing said second switch and flashing circuit, including a bypass wire, wherein said bypassing means may be utilized to light up all of said LED lights.

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**Claim 8 (new): An LED lighting and flashing apparatus, as in  
15 Claim 7, wherein said visual effect is a strobe effect.**

**Claim 9 (new): An LED lighting and flashing apparatus, as in  
Claim 7, wherein said visual effect is a linear flashing effect.**

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**Claim 10 (new): An LED lighting and flashing apparatus as in  
Claim 7, wherein said visual effect is a chasing effect.**

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**Claim 11 (new): An LED lighting and flashing apparatus as in  
Claim 7, wherein said batteries are rechargeable, further comprising a**